

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NANCY MCGINLEY, Special)
Administrator of the Estate of Donald)
McGinley,)
Plaintiff,)
v.)
MEDTRONIC USA, and MEDTRONIC,)
INC.,)
Defendants.)

8:07CV424
ORDER

This matter is before the court on the parties joint stipulation to vacate the court's order of dismissal without prejudice (Filing No. 13) and for the entry of a dismissal with prejudice. Filing No. 14. The court being fully advised in the premises finds that the stipulation should be, and hereby is, sustained.

IT IS ORDERED THAT:

1. The court's order of dismissal without prejudice (Filing No. 13) is vacated;
2. The joint Stipulation for Dismissal (Filing No. 14) is approved;
3. The Complaint (included in Filing No. 1) is hereby dismissed with prejudice;
and
4. The parties will pay their own costs.

DATED this 10th day of July, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge